

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

RICHARD J. HILL,	)	
	)	Case No. 2:19-cv-159-HYJ-MV
Plaintiff,	)	
	)	U.S. District Judge:
v.	)	Hon. Janet T. Neff
	)	
JUSTIN WONCH, and	)	U.S. Magistrate Judge:
TOWNSHIP OF FORSYTH,	)	Hon. Maarten Vermaat
	)	
Defendants.	)	

**CERTIFICATE OF COMPLIANCE WITH LCivR 7.1(d) RE: PLAINTIFF’S MOTION  
TO AMEND EXPERT DISCLOSURE AND SUBSTITUTE EXPERT WITNESS (ECF  
NO. 71)**

Pursuant to LCivR 7.1(d), Phillip B. Toutant, counsel for Plaintiff, hereby certifies that he has conferred in good faith with opposing counsel as to the relief requested in Plaintiff’s Motion to Amend Expert Disclosure and Substitute Expert Witness (ECF No. 71) via telephone call on Thursday, February 24, 2022. On said, call, Plaintiff’s counsel requested stipulation to the substitution of his police practices expert, and why substitution was necessary. Defendants’ counsel stated that he would need to seek permission from his client representative, and requested the name of Plaintiff’s new police practices expert in the context of same. Plaintiff’s counsel informed defense counsel that, as is common for expert witnesses, his expert forbade him being disclosed until he is formally retained. Plaintiff’s counsel further explained that it would be imprudent to retain an expert who he could not substitute in and call as a witness. Defendants’ counsel understood the “chicken or egg” predicament, stated that he would pass along Plaintiff’s counsel’s request and request for concurrence to the appropriate person(s). To date, Plaintiff has received no response. Therefore, Plaintiff’s counsel has made efforts to determine whether the

Motion will be opposed and made a good faith effort to resolve the matter without the need to file a motion.

s/ Phillip B. Toutant

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PHILLIP B. TOUTANT (P72992)

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